

IN RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
W/S Falls Road, between Seminary Avenue	*	
and Greenspring Valley Road	*	ZONING COMMISSIONER
(11152 Falls Road)	*	
8 th Election District	*	OF BALTIMORE COUNTY
3 rd Council District	*	
	*	Case No. 04-553-X
St. Paul's School,	*	
Petitioner/Legal Owner	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Exception filed by the owner of the subject property, St. Paul's School, through its attorney, Robert A. Hoffman, Esquire. As filed, the Petitioner requests a special exception for "a school in the R.C.2 zone for Tract 'A' and 7.753 acres of Tract 'B'." The subject property and requested relief are more particularly described on the site plan submitted, which was accepted into evidence and marked as Petitioner's Exhibit No. 1.

Appearing at the requisite public hearing in support of the request were Kirk Evans and Tom Maddux on behalf of St. Paul's School for Boys, and Mitch Kellman, who supervised preparation of the site plan filed in this case, and Eric Hadaway, both representatives of Daft-McCune-Walker, Inc. Robert A. Hoffman and David H. Karceski entered their appearances as attorneys for the Petitioner. Jack Dillon attended as an interested person on behalf of the Valleys Planning Council. There were no Protestants or other interested persons present.

The property which is the subject of the instant request relates to a portion of the St. Paul's School campus and is identified on the site plan as "P/O TRACT B 7.753 ACRES" and "TRACT A 7.00 ACRES." The property is located south of Seminary Avenue, west of Falls Road and Tony Drive, and is bordered by Greenspring Valley Road to the south, east of several

ORDER RECEIVED FOR FILING

Date 11/5/05

By [Signature]

large estate properties in Brooklandville. Presently, Tract A is occupied by three (3) historic structures, which are used as residential dwellings and a storage building. Testimony and evidence offered was that the residential dwellings are on the Baltimore County Landmarks List. There is no proposal to relocate or alter these residences, and they are proposed to be used residentially by the school. The 7.753 acres of Tract B are largely unimproved, however, does feature a driveway leading into the site from Greenspring Valley Road.

As more particularly shown on the site plan, the Petitioner proposes to use the subject property for the betterment and in furtherance of its athletic programs. The details of the proposed use were proffered by Mr. Hoffman and are also shown on the site plan. Specifically, St. Paul's School seeks approval for the installation of ball fields and related parking to serve those fields as well as other surrounding school facilities. Mr. Hoffman further proffered that the installation of these ball fields would allow St. Paul's School to expand its athletic program in an effort to increase student participation. The new ball fields area would be used primarily for athletic teams' practices and also for competitive matches on an as-needed basis. The proposed layout for the parking area is conceptual in nature and its general location is shown on Petitioner's Exhibit 1.

Mr. Dillon testified on behalf of the Valleys Planning Council that the Petitioner has provided his Association an opportunity to review the proposed improvements as shown on the site plan. Mr. Dillon further testified that he is in agreement with the use restrictions (Restrictions Nos. 1 through 9) listed on Petitioner's Exhibit 1, and with those restrictions in place, the Valleys Planning Council has no objection to the requested special exception relief.

Based upon the testimony and evidence presented in this case, I am persuaded that the Petition for Special Exception should be granted. It is clear that the proposed ball fields will not

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Date

By

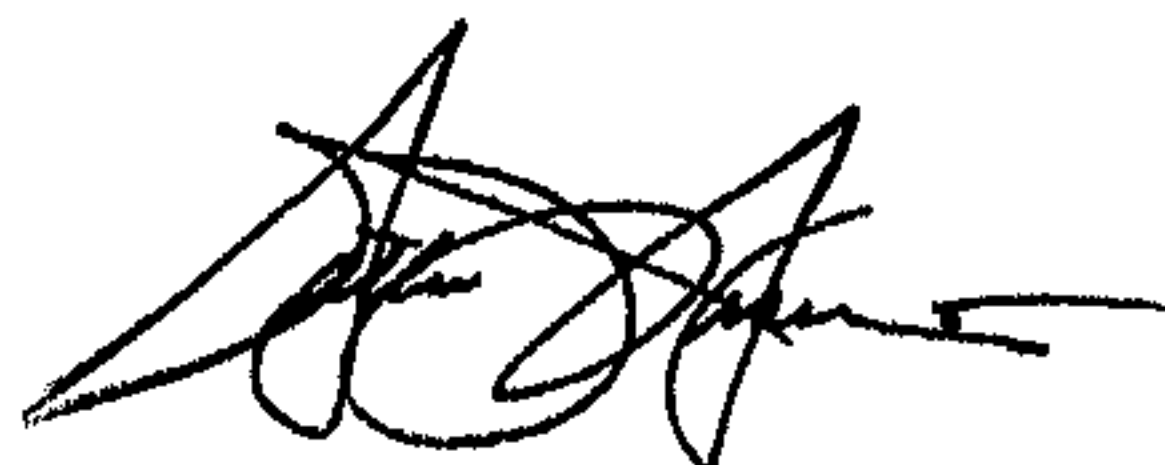
cause any detrimental impacts to the health, safety, or general welfare of the locale, and that the relief requested satisfies the special exception requirements set forth in Section 502.1 of the B.C.Z.R. In addition, I find that the installation of a parking area for the future ball fields in the general location shown on Petitioner's Exhibit 1 is appropriate.

Pursuant to the advertisement, posting of the property, and the public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 5th day of January 2005 that the Petition for Special Exception for "a school in the R.C.2 zone for Tract 'A' and 7.753 acres of Tract 'B'," in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

WJW:bjs



WILLIAM J. WISEMAN
Zoning Commissioner
For Baltimore County

ORDER RECEIVED FOR FILING
Date 1/5/05
By [Signature]

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

January 5, 2005

Robert A. Hoffman, Esquire
David Karceski, Esquire
Venable, LLP
210 Allegheny Avenue
Towson, Maryland 21204

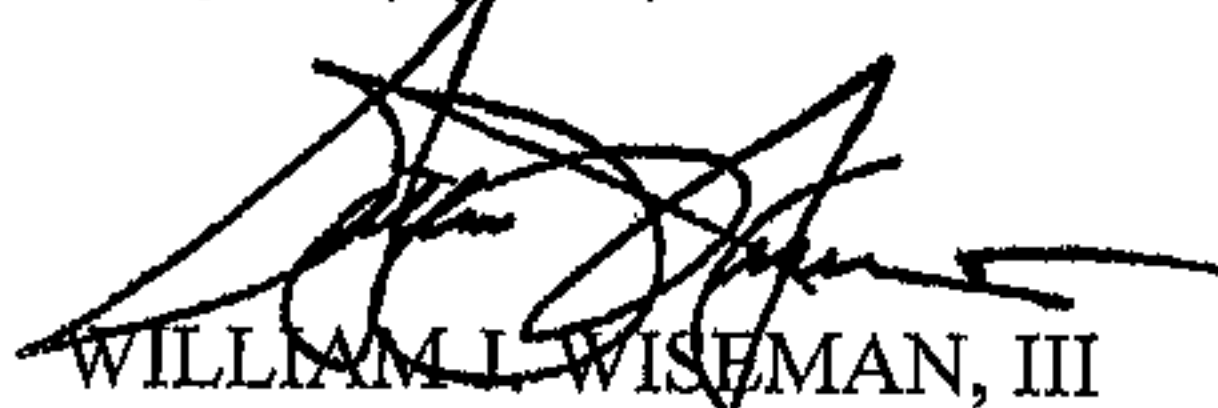
RE: PETITION FOR SPECIAL EXCEPTION
W/S Falls Road, between Seminary Avenue and Greenspring Valley Road
(11152 Falls Road)
8th Election District – 3rd Council District
St. Paul's School - Petitioner
Case No. 04-553-X

Dear Messrs. Hoffman & Karceski:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Messrs. Kirk Evans and Tom Maddux, St. Paul's School for Boys
11152 Falls Road, Brooklandville, Md. 21022
Messrs. Mitch Kellman and Eric Hadaway, Daft-McCune-Walker, Inc.
200 E. Pennsylvania Avenue, Towson, Md. 21286
Mr. Jack Dillon, Valleys Planning Council, 207 Courtland Avenue, Towson, Md. 21204
People's Counsel; Case File

Visit the County's Website at www.baltimorecountyonline.info





Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 11152 Falls Road

which is presently zoned R.C.2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Special Exception for a school in the R.C.2 zone for Tract 'A' and 7.753 acres of Tract 'B'.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Robert A. Hoffman

Name - Type or Print

Signature

Venable LLP

Company

210 Allegheny Avenue (410) 494-6200

Address

Telephone No.

Towson,

Maryland

21204

City

State

Zip Code

Legal Owner(s):

St. Paul's School

Name - Type or Print

Signature

Kirk Evans, Assistant Treasurer

Name - Type or Print and Secretary

Signature

11152 Falls Road (410) 825-4400

Address

Telephone No.

Brooklandville, Maryland

21022

City

State

Zip Code

Representative to be Contacted:

Robert A. Hoffman

Name

210 Allegheny Avenue (410) 494-6200

Address

Telephone No.

Towson,

Maryland

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By JRF

Date 5/20/04

Case No. 04-553-X

09/15/98

ORDER RECEIVED FOR FILING

Date

By

Description

To Accompany Zoning Petition

94.478 Acre Parcel

Southwest Side of Falls Road

Eighth Election District, Baltimore County, Maryland



Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,

Landscape Architects,

Golf Course Architects,

Engineers, Surveyors &

Environmental Professionals

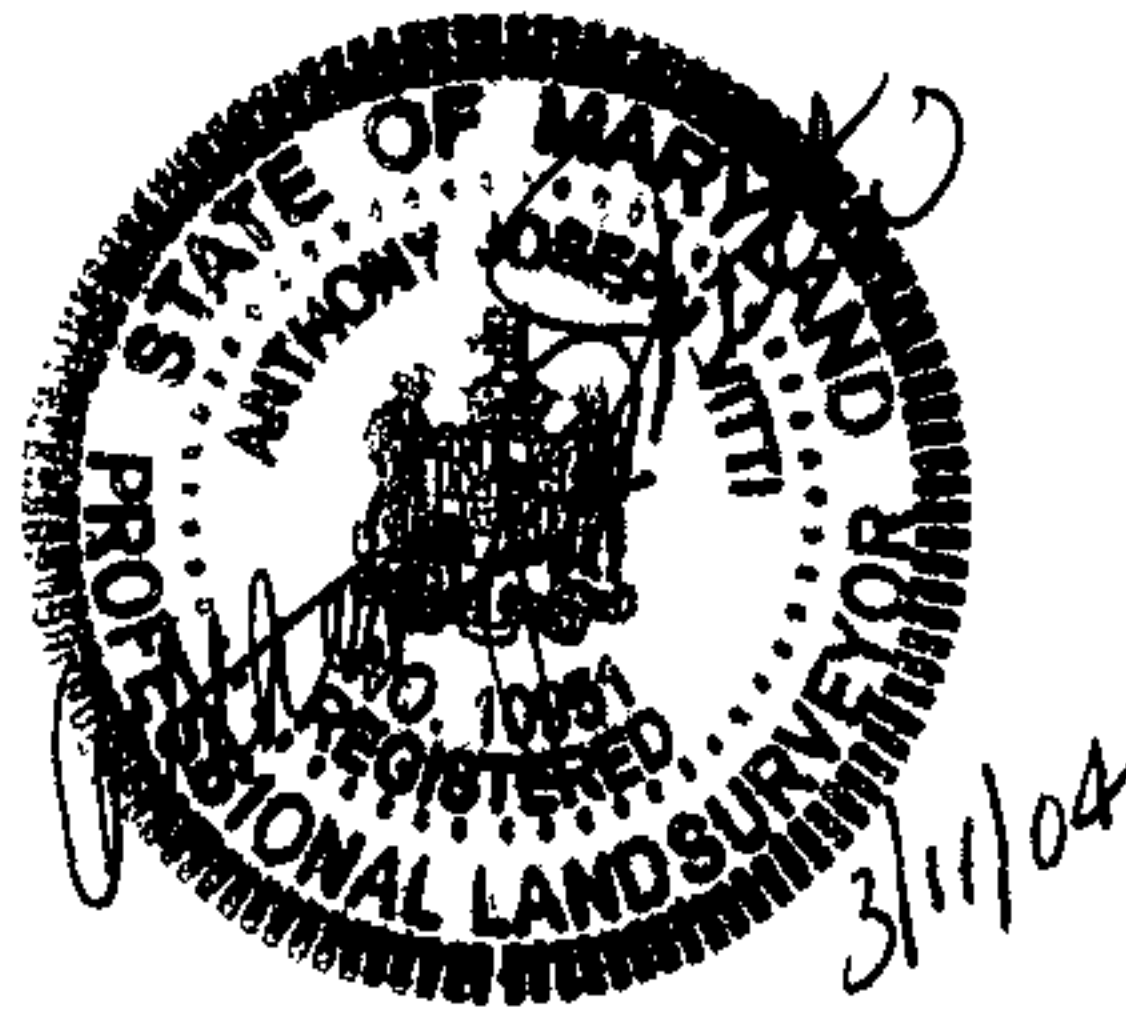
Beginning for the same at the centerline intersection of Falls Road and Seminary Avenue, thence leaving said point of beginning and the centerline of Falls Road and running the nineteen following courses and distances: (1) South 83 degrees 54 minutes 14 seconds West 842.99 feet, thence (2) South 83 degrees 54 minutes 14 seconds West 382.72 feet, thence (3) South 83 degrees 54 minutes 14 seconds West 571.83 feet, thence (4) North 18 degrees 34 minutes 25 seconds West 93.80 feet, thence (5) North 21 degrees 40 minutes 16 seconds West 329.73 feet, thence (6) North 69 degrees 33 minutes 20 seconds East 206.00 feet, thence (7) Northwesterly by a line curving to the right, having a radius of 775.00 feet, for a distance of 269.60 feet (the arc of said curve being subtended by a long chord bearing North 10 degrees 28 minutes 43 seconds West 268.24 feet), thence (8) North 00 degrees 30 minutes 46 seconds West 301.64 feet, thence (9) Northwesterly by a line curving to the left, having a radius of 575.00 feet, for a distance of 333.86 feet (the arc of said curve being subtended by a long chord bearing North 17 degrees 08 minutes 43 seconds West 329.19 feet), thence (10) North 56 degrees 13 minutes 20 seconds East 50.00 feet, thence (11) Northwesterly by a line curving to the left, having a radius of 625.00 feet, for a distance of 107.76 feet (the arc of said curve being subtended by a long chord bearing North 38 degrees 42 minutes 58 seconds

West 107.63 feet), thence (12) North 43 degrees 39 minutes 20 seconds West 197.60 feet, thence (13) North 43 degrees 39 minutes 20 seconds West 330.40 feet, thence (14) North 45 degrees 44 minutes 54 seconds West 42.36 feet, thence (15) North 38 degrees 27 minutes 20 seconds East 185.88 feet, thence (16) South 70 degrees 40 minutes 00 seconds East 15.77 feet, thence (17) North 01 degree 19 minutes 30 seconds East 450.01 feet, thence (18) South 88 degrees 41 minutes 00 seconds East 550.04 feet, and thence (19) North 23 degrees 44 minutes 50 seconds East 292.36 feet to intersect the centerline of Falls Road, thence running and binding on the centerline of said road the fourteen following courses and distances: (20) South 67 degrees 10 minutes 00 seconds East 700.00 feet, thence (21) South 66 degrees 08 minutes 20 seconds East 200.46 feet, thence (22) South 62 degrees 46 minutes 00 seconds East 80.52 feet, thence (23) South 66 degrees 33 minutes 20 seconds East 49.00 feet, thence (24) South 63 degrees 29 minutes 20 seconds East 106.79 feet, thence (25) South 29 degrees 09 minutes 20 seconds East 89.08 feet, thence (26) South 00 degrees 09 minutes 20 seconds East 89.08 feet, thence (27) South 27 degrees 05 minutes 40 seconds West 7.08 feet, thence (28) by a line curving to the left, having a radius of 560.00 feet, for a distance of 269.45 feet, thence (29) South 21 degrees 00 minutes 35 seconds East 125.37 feet, thence (30) South 16 degrees 34 minutes 45 seconds East 212.17 feet, thence (31) South 11 degrees 37 minutes 40 seconds East 172.34 feet, thence (32) South 13 degrees 27 minutes 55 seconds East 91.39 feet, thence (33) South 13 degrees 27 minutes 55 seconds East 739.54 feet, and thence (34) South 12 degrees 51 minutes 10 seconds East 340.13 feet to the point of beginning; containing 94.478 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES
ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

March 11, 2004

Project No. 82023.I (L82023.I)



Description

To Accompany Special Exception

27.01 Acre Parcel

North Side of Greenspring Valley Road

West of Falls Road

Eighth Election District, Baltimore County, Maryland



Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,

Landscape Architects,

Golf Course Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same at a point the following course and distance from the intersection of the centerline of Falls Road (120 feet wide) and the centerline of Greenspring Valley Road, (1) Northwesterly along the centerline of said Greenspring Valley Road 1584 feet, more or less, thence binding on the outlines of Tract B and Tract A as shown on the plat entitled "Brooklandwood," said plat being recorded among the Land Records of Baltimore County, Maryland, in Plat Book E.H.K., Jr. 39, Folio 80, the sixteen following courses and distances: (1) North 69 degrees 48 minutes 43 seconds West 31.95 feet, thence (2) North 56 degrees 04 minutes 43 seconds West 63.17 feet, thence (3) North 69 degrees 48 minutes 43 seconds West 285.50 feet, thence (4) North 24 degrees 47 minutes 17 seconds West 4.00 feet, thence (5) North 16 degrees 11 minutes 13 seconds West 579.95 feet, thence (6) North 16 degrees 48 minutes 27 seconds West 850.28 feet, thence (7) North 17 degrees 33 minutes 26 seconds West 66.57 feet, thence (8) North 83 degrees 54 minutes 14 seconds East 571.83 feet, thence (9) South 28 degrees 28 minutes 48 seconds East 525.42 feet, thence (10) South 01 degree 11 minutes 48 seconds West 472.59 feet, thence (11) North 85 degrees 01 minute 46 seconds East 406.76 feet, thence (12) South 04 degrees 58 minutes 14 seconds East 453.48 feet, thence (13)

South 14 degrees 20 minutes 42 seconds West 388.48 feet, thence (14) Northwesterly by a line curving to the right, having a radius of 3500.00 feet, for a distance of 368.39 feet (the arc of said curve being subtended by a chord bearing North 72 degrees 38 minutes 23 seconds West 368.22 feet), thence (15) North 69 degrees 37 minutes 28 seconds West 18.81 feet, and thence (16) South 20 degrees 22 minutes 32 seconds West 34.95 feet to the point of beginning; containing 27.01 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

March 11, 2004

Project No. 82023.L2 (L82023.L2)



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 37295

DATE 5/28/04

ACCOUNT 001-006-6150

AMOUNT \$ 380.00

RECEIVED FROM: VENNABUE DAETTER & HOWARD LLP
FOR: 1152 Falls Rd. Item # 553
SPECIAL EXCEPTION

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

BUSINESS ACTUAL TIME
5/28/2004 5/28/2004 09:12:02

REQ NO: 001-006-6150-001
RECEIPT # 261244 5/28/2004 07:11

Dept 5 529 ZIMING VERIFICATION
EX NO. 001295

Receipt for \$380.00
\$380.00 OK \$380.00
Baltimore County, Maryland

CASHER'S VALIDATION

NOTICE OF ZONING HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #04-553-X
 11152 Falls Road
 N/side of Greenspring Valley Road, w/side of Falls Road, opposite of Seminary Road, at the distance of 1,584 ft. from Falls Road
 8th Election District
 2nd Councilmanic District
 Legal Owner(s): St. Paul's School, Kirk Evans, Assistant Treasurer

Special Exception: for a school in the RC-2 zone for Tract "A" and 7.753 acres of Tract "B".

Hearing: Thursday, August 12, 2004 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
 Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.
 (2) For Information concerning the File and/or Hearing; Contact the Zoning Review Office at (410) 887-3391.

JT/7/716 Jy 27 14578

CERTIFICATE OF PUBLICATION

7/28/2004

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/27/2004.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkins

LEGAL ADVERTISING

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: # 04-553-X

11152 Falls Road

N/side of Greenspring Valley Road, w/side of Falls Road, opposite of Seminary Road, at the distance of 1,584 ft. +/- from Falls Road

8th Election District - 2nd Councilmanic District

Legal Owner(s): St Paul's School, Kirk Evans, Assistant Treasurer

Special Exception: for a school in the RC-2-zone for Tract "A" and 7.753 acres of Tract "B".

Hearing: Monday, October 4, 2004 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
9/23/04 Sept. 16 21405

CERTIFICATE OF PUBLICATION

9/16, 2004

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/16, 2004.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #04-553-X

11152 Falls Road

N/side of Greenspring Valley Road, w/side of Falls Road, opposite of Seminary Road, at the distance of 1,584 ft. +/- from Falls Road

8th Election District - 2nd Councilmanic District

Legal Owner(s): St. Paul's School, Kirk Evans, Assistant Treasurer

Special Exception: for a school in the RG-2 zone for Tract "A" and 7.753 acres of Tract "B".

Hearing: Tuesday, November 30, 2004 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

WILLIAM WISEMAN

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For Information concerning the File and/or Hearing, Contact the Zoning Review Office at: (410) 887-3391.

JT 11/819 Nov. 30

31390

CERTIFICATE OF PUBLICATION

12/2/, 2004

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11/30/, 2004.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 04-553-X

Petitioner/Developer: ST. PAUL'S SCHOOL

KIRK EVANS

Date of Hearing/Closing: AUG 12, 2004

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTN: Kristen Matthews {(410) 887-3394}

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

11152 FALLS RD

The sign(s) were posted on _____

7/26/04
(Month, Day, Year)

Sincerely,

Robert Black
(Signature of Sign Poster)

7/28/04
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

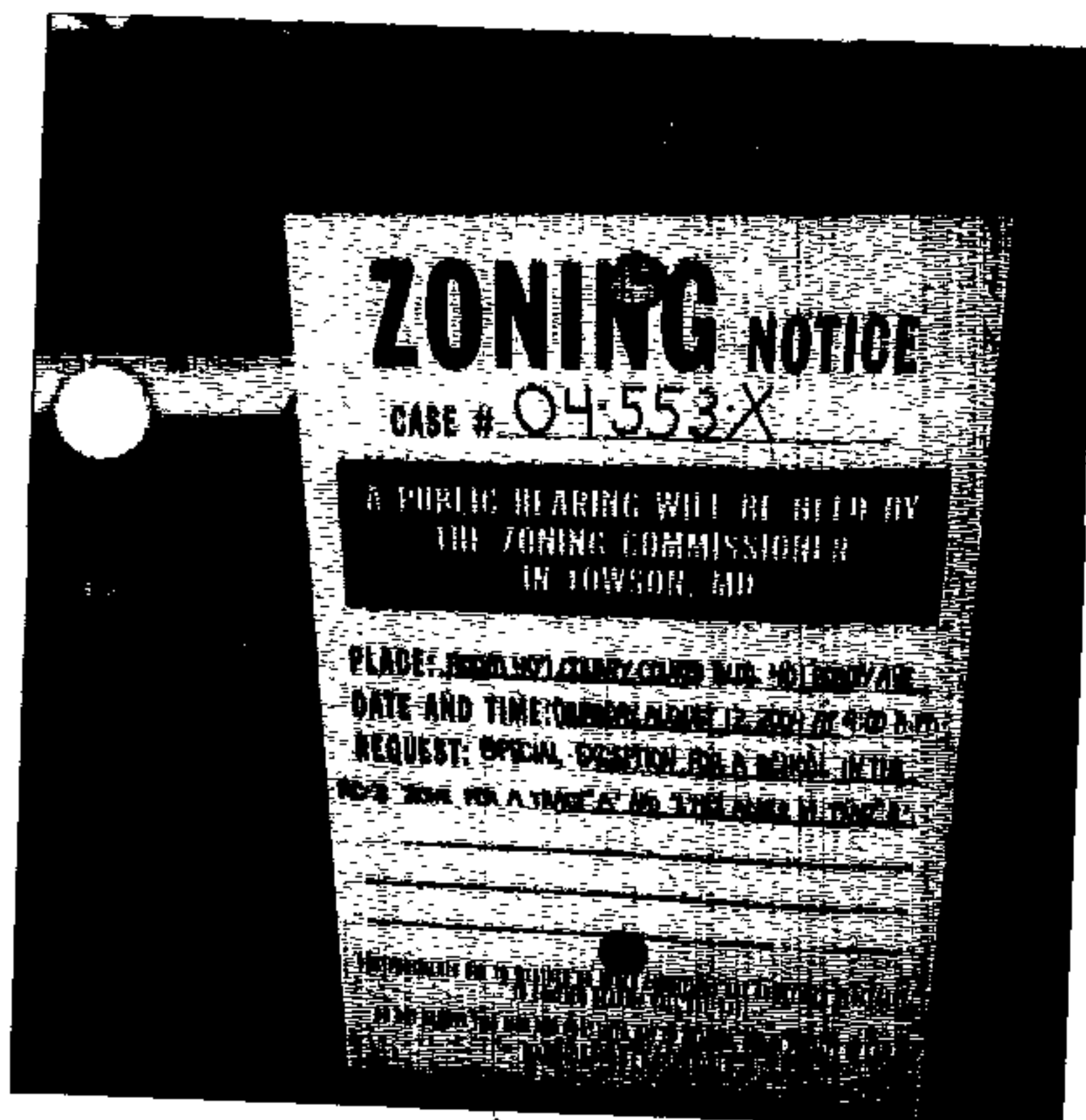
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

RE: Case No.: 04-553-X

Petitioner/Developer: ST. PAUL'S

SCHOOL

Date of Hearing/Closing: OCT 4, 04

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTN: Kristen Matthews ((410) 887-3394)

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

11152 FALLS RD

The sign(s) were posted on 9/18/04
(Month, Day, Year)

Sincerely,

Robert Black 9/18/04
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

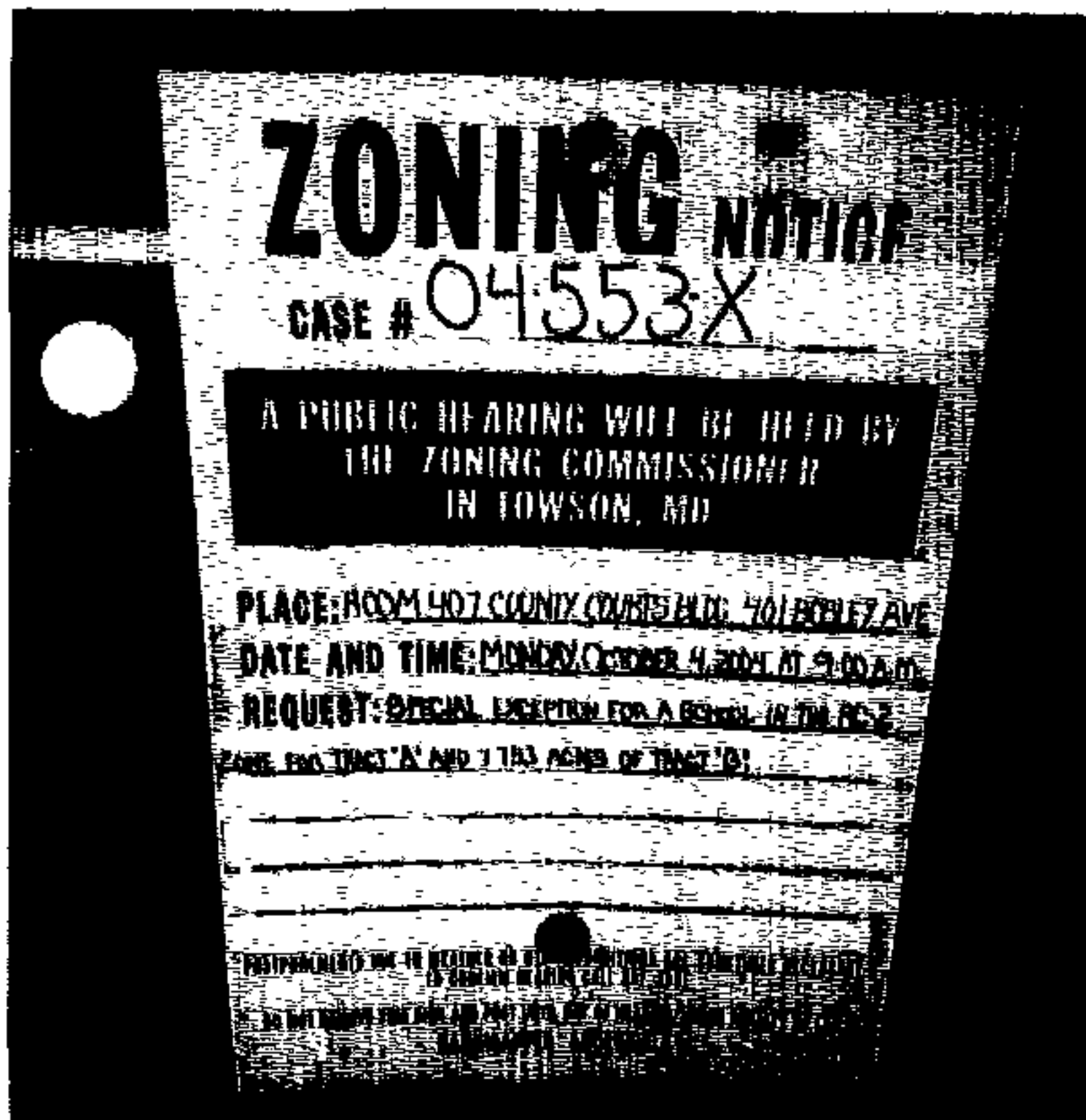
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



CERTIFICATE OF POSTING

RE: Case No.: 04-553-X

Petitioner/Developer: ST. PAULS
SCHOOL

Date of Hearing/Closing: 11/30/04

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTN: Kristen Matthews {(410) 887-3394}

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

11152 FALLS RD

The sign(s) were posted on 11/15/04
(Month, Day, Year)

Sincerely,

Robert Black 11/16/04
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

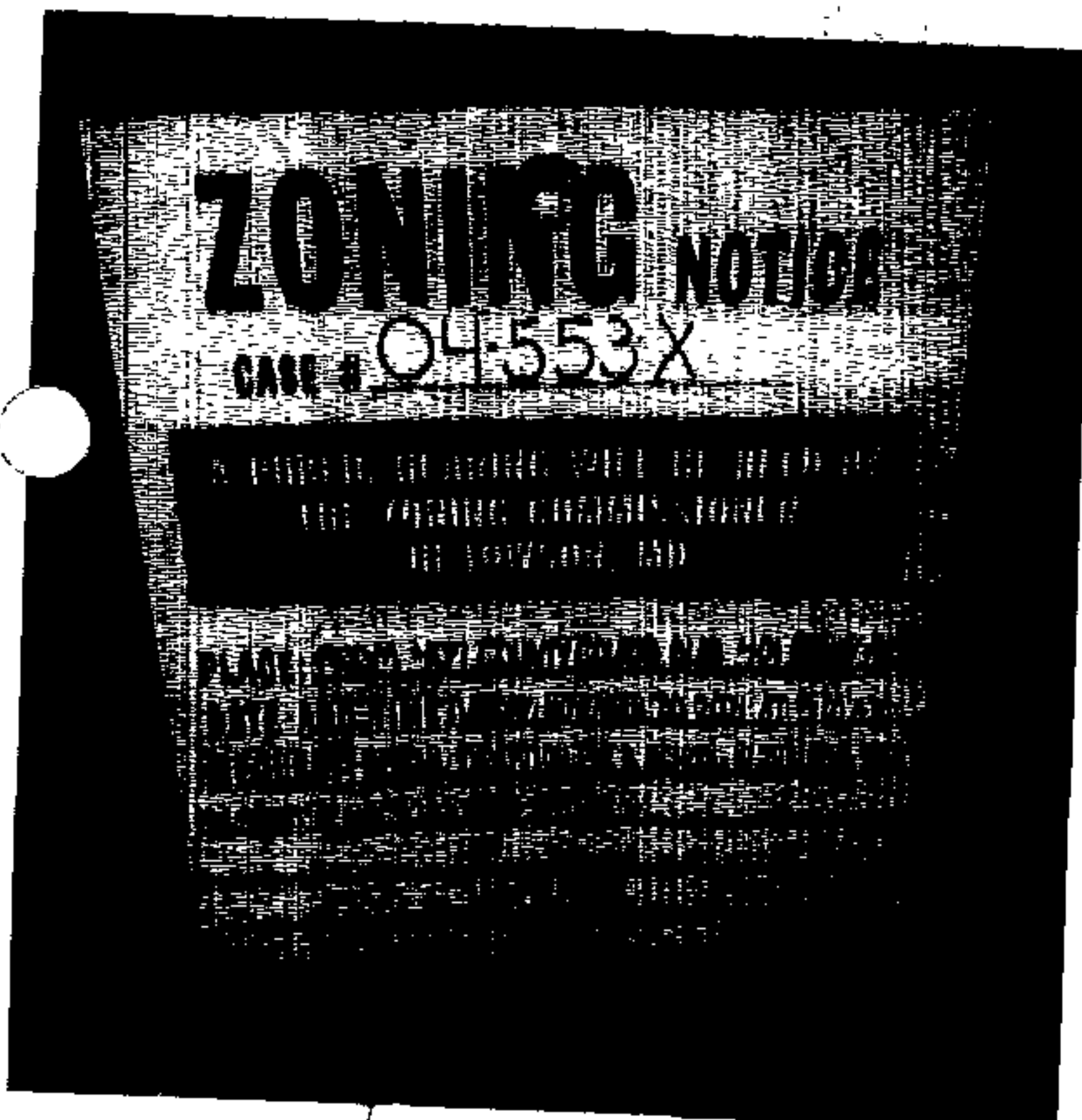
(Address)

Dundalk, Maryland 21222

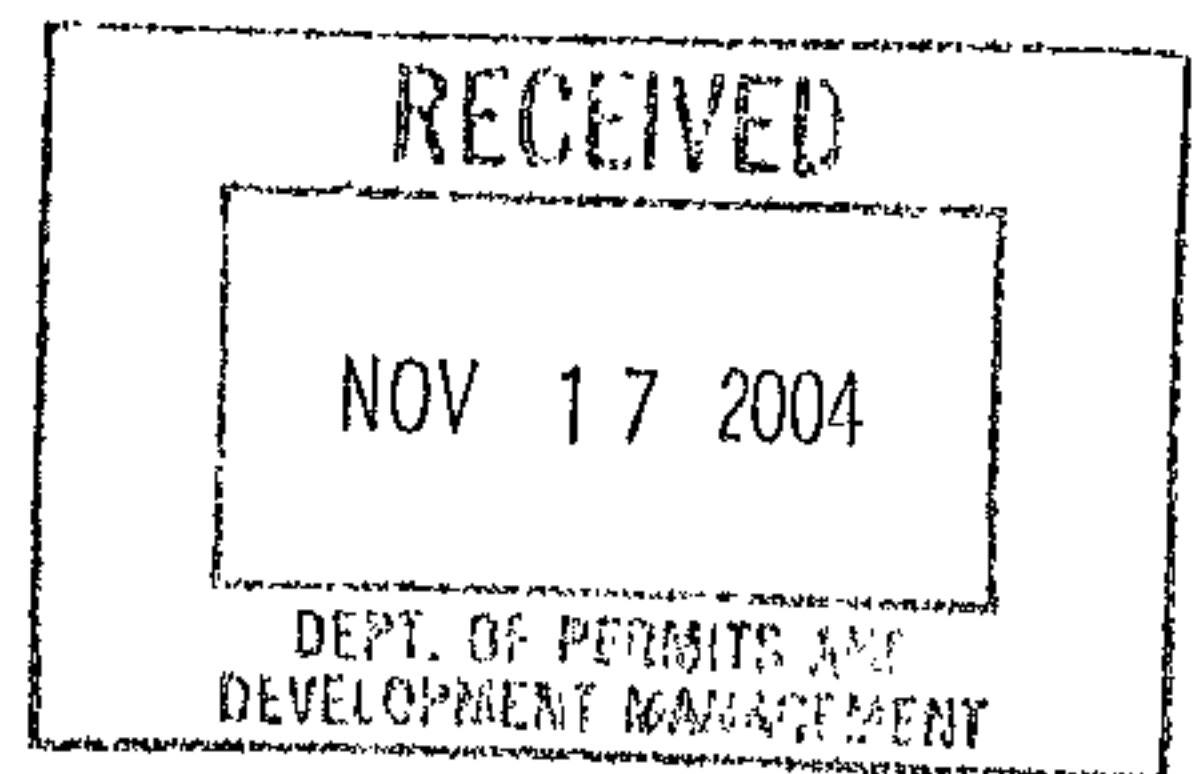
(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



NOV 17 2004



RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
11152 Falls Rd; N/side Greenspring Valley
Rd, W/side Falls Rd opposite Seminary Rd * ZONING COMMISSIONER
8th Election & 2nd Councilmanic Districts
Legal Owner(s): St. Paul's Scott, Kirk Evans* FOR
Assistant Treasurer and Secretary
Petitioner(s) * BALTIMORE COUNTY
* 04-553-X

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and documentation filed in the case.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of June, 2004, a copy of the foregoing Entry of Appearance was mailed Robert A Hoffman, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

JUN 15 2004

Per.....

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 27, 2004 Issue - Jeffersonian

Please forward billing to:
Amy Dontell
210 Allegheny Avenue
Towson, MD 21204

410-494-6244

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-553-X

11152 Falls Road

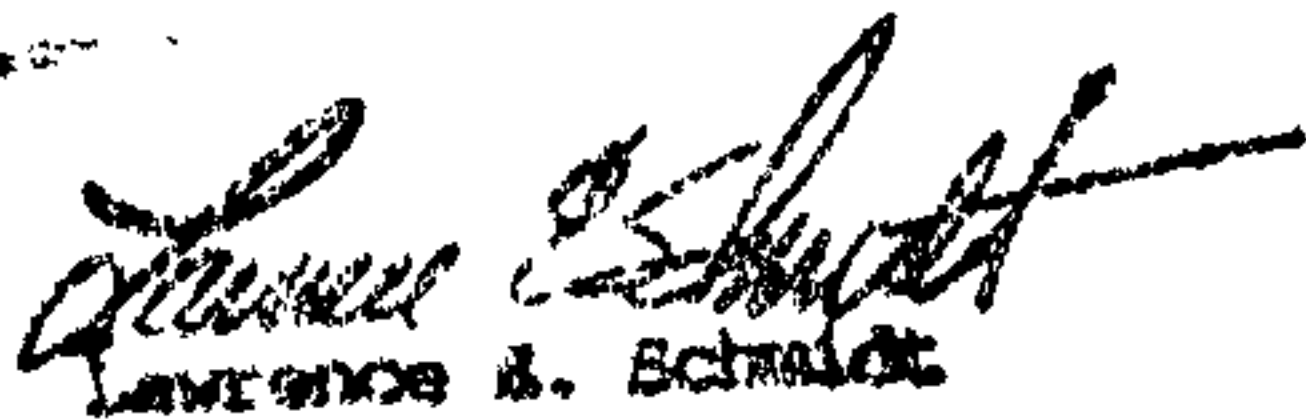
N/side of Greenspring Valley Road, w/side of Falls Road, opposite of Seminary Road, at the distance of 1,584 ft. +/- from Falls Road

8th Election District – 2nd Councilmanic District

Legal Owner: St. Paul's School, Kirk Evans, Assistant Treasurer

Special Exception for a school in the RC-2 zone for Tract "A" and 7.753 acres of Tract "B".

Hearing: Thursday, August 12, 2004, at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, September 16, 2004 Issue - Jeffersonian

Please forward billing to:
Amy Dontell
210 Allegheny Avenue
Towson, MD 21204

410-494-6244

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-553-X

11152 Falls Road

N/side of Greenspring Valley Road, w/side of Falls Road, opposite of Seminary Road, at the distance of 1,584 ft. +/- from Falls Road

8th Election District – 2nd Councilmanic District

Legal Owner: St. Paul's School, Kirk Evans, Assistant Treasurer

Special Exception for a school in the RC-2 zone for Tract "A" and 7.753 acres of Tract "B".

Hearing: Monday, October 4, 2004, at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



LAWRENCE E. SCHMIDT

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, November 30, 2004 Issue - Jeffersonian

Please forward billing to:
Amy Dontell
210 Allegheny Avenue
Towson, MD 21204

410-494-6244

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-553-X

11152 Falls Road

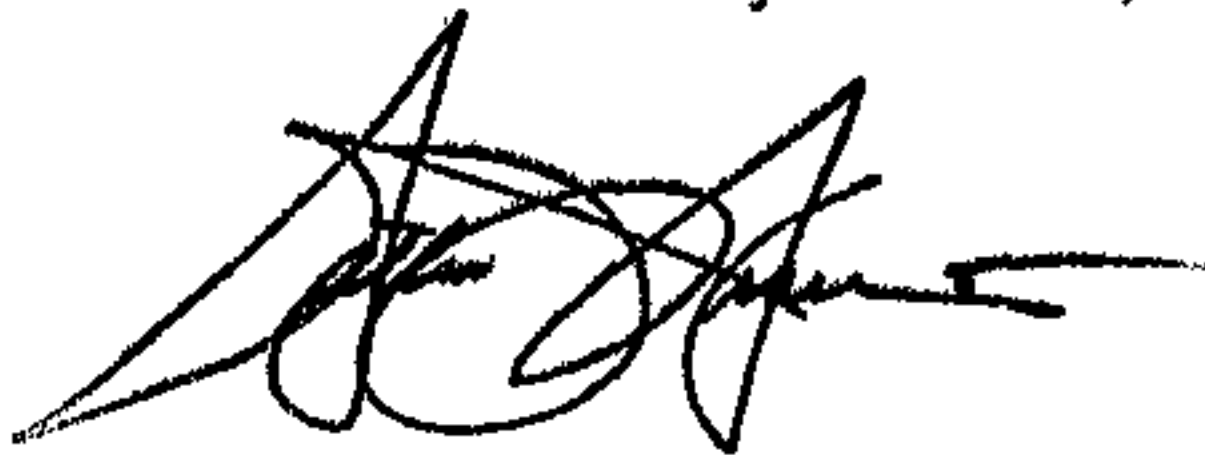
N/side of Greenspring Valley Road, w/side of Falls Road, opposite of Seminary Road, at the distance of 1,584 ft. +/- from Falls Road

8th Election District – 2nd Councilmanic District

Legal Owner: St. Paul's School, Kirk Evans, Assistant Treasurer

Special Exception for a school in the RC-2 zone for Tract "A" and 7.753 acres of Tract "B".

Hearing: Tuesday, November 30, 2004 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM WISEMAN
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

June 7, 2004

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-553-X

11152 Falls Road

N/side of Greenspring Valley Road, w/side of Falls Road, opposite of Seminary Road, at the distance of 1,584 ft. +/- from Falls Road

8th Election District – 2nd Councilmanic District

Legal Owner: St. Paul's School, Kirk Evans, Assistant Treasurer

Special Exception for a school in the RC-2 zone for Tract "A" and 7.753 acres of Tract "B".

Hearing: Thursday, August 12, 2004, at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Robert Hoffman, Venable, 210 Allegheny Ave., Towson 21204
St. Paul's School, 11152 Falls Road, Brooklandville 21022

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JULY 28, 2004.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708

August 10, 2004

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-553-X

11152 Falls Road

N/side of Greenspring Valley Road, w/side of Falls Road, opposite of Seminary Road, at the distance of 1,584 ft. +/- from Falls Road

8th Election District – 2nd Councilmanic District

Legal Owner: St. Paul's School, Kirk Evans, Assistant Treasurer

Special Exception for a school in the RC-2 zone for Tract "A" and 7.753 acres of Tract "B".

Hearing: Monday, October 4, 2004, at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Robert Hoffman, Venable, 210 Allegheny Ave., Towson 21204
St. Paul's School, 11152 Falls Road, Brooklandville 21022

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, SEPTEMBER 18, 2004.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**Department of Permits and
Development Management**



Baltimore County

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

October 27, 2004

NEW NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 04-553-X

11152 Falls Road

N/side of Greenspring Valley Road, w/side of Falls Road, opposite of Seminary Road, at the distance of 1,584 ft. +/- from Falls Road

8th Election District – 2nd Councilmanic District

Legal Owner: St. Paul's School, Kirk Evans, Assistant Treasurer

Special Exception for a school in the RC-2 zone for Tract "A" and 7.753 acres of Tract "B".

Hearing: Tuesday, November 30, 2004, at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Robert Hoffman, Venable, 210 Allegheny Ave., Towson 21204
St. Paul's School, 11152 Falls Road, Brooklandville 21022

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, NOVEMBER 15, 2004.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Visit the County's Website at www.baltimorecountyonline.info



**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 04-553-X

Petitioner: St. Paul School

Address or Location: 11152 Falls Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Amy L. Dantell

Address: 210 Allegheny Ave.
Towson, Maryland 21204

Telephone Number: 410-494-6244

**Department of Permits and
Development Management**

Development Processing
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

August 3, 2004

Robert A. Hoffman
Venable, LLP
210 Allegheny Avenue
Towson, Maryland 21204

Dear Mr. Hoffman:

RE: Case Number:04-553-X, 11152 Falls Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 28, 2004 .

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
St. Paul's School Kirk Evans, 11152 Falls Road Brooklandville, 21022

Visit the County's Website at www.baltimorecountyonline.info



**Department of Permits
Development Management**

Development Processing
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

November 22, 2004

Robert A. Hoffman
Venable, LLP
210 Allegheny Avenue
Towson, Maryland 21204

Dear Mr. Hoffman :

RE: Case Number: :04-553-X, 11152 Falls Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 28, 2004.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
St. Paul's School Kirk Evans, 11152 Falls Road Brooklandville, 21022

Visit the County's Website at www.baltimorecountyonline.info



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: July 1, 2004

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For June 14, 2004
Item Nos. 540, 542, 543, 544, 545,
546, 547, 548, 549, 552, 553, and 558

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: John D. Oltman, Jr JDO

DATE: June 22, 2004

SUBJECT: Zoning Item # 04-553
Address 11152 Falls Road (St. Pauls School for Boys)

Zoning Advisory Committee Meeting of June 7, 2004.

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Any Proposed increase in usage will require review of the sewage disposal system by the division of Ground Water Management.

Reviewer: Sue Ferinetti

Date: June 21, 2004

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: John D. Oltman, Jr *JDO*

DATE: June 22, 2004

SUBJECT: Zoning Item # 04-553
Address 11152 Falls Road (St. Pauls School for Boys)

Zoning Advisory Committee Meeting of June 7, 2004.

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

 X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

 X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

Portions of Tract "A" and Tract "B" contain Jurisdictional Non-Tidal Wetlands that will require a Forest buffer Easement that will restrict development from portions of the site(s).

Reviewer: David Lykens

Date: June 21, 2004

by
11/30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: November 22, 2004

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

RECEIVED

NOV 22 2004

SUBJECT: 111152 Falls Road

INFORMATION:

Item Number: 4-553

Petitioner: St. Paul's School

Zoning: RC 2

Requested Action: Special Exception

ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

The petitioner, St Paul's School, requests a Special Exception for a school in a RC2 zone for 2 areas that are contiguous to the existing school and accessed from Greenspring Valley Road. They are tract A, containing 7 acres and part of tract B, 7.753 acres. Tract A contains numerous historic buildings used as residences that are on the final landmarks list, #92, Brooklandwood Tenant houses #1, #2 and #3. They are also contributing structures to the Greenspring Valley National Register District. Greenspring Valley Road is identified as a scenic route in Master Plan 2010.

The Office of Planning supports the petitioner's request with the following comments:

1. The Office of Planning reviewed the petitioner's request and the site plan shows no school use on Tract A. Therefore, it is not necessary to refer this request to the Baltimore County Landmarks Commission and/or Planning Board for development which involves historic buildings. A special hearing and Landmarks Commission/Planning Board referral will be required in the future, if there is a site-specific school use proposed on Tract A. The office supports retaining the residential use of the Brooklandwood tenant houses.
2. The red-lined site plan dated 9/21/04 shows proposed landscape treatment along the Greenspring Valley Road frontage of the proposed ball field. It appears that the proposed

future practice field is in compliance with the CMDP with regard to scenic routes with an open view provided the existing low stone wall and fence will remain and landscaping treatment is provided as shown.

3. Add a note on the plan stating that no lighting for the ball field and no permanent seating is proposed. A special hearing will be required if lighting or permanent seating/bleachers are proposed in the future.

For further information concerning the matters stated herein, please contact Diana Itter at 410-887-3480.

Prepared by: Marla A. Cunniff

Division Chief: Lynn L. Lanza

AFK/LL:MAC:

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*



Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6.5.04

Ms. Kristen Matthews
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 553

Case# 4-553-X

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 25, are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

ZAC AGENDA

Item Number: 553

Case Number: 4-553-X

Primary Use: Residential

Reviewer:

Type: Special Exception

Legal Owner: St. Paul's School

Contract Purchaser

Critical Area: No

Flood Plain: No

Historic: No

Election Dist 8th

Councilmanic Dist 2nd

Property Address: 11152 Falls Road

Location: North side of Greenspring Valley Road, also west side Falls Road opposite Seminary Rd, at the distance of 1,584-feet +/- West from the centerline of Falls Road.

Existing Zoning: RC 2

Area: 121.5 AC +/-

Proposed Zoning: SPECIAL EXCEPTION for a school in the RC-2 zone for Tract 'A' and 7.753 acres of Tract 'B'.

Attorney: Robert A. Hoffman

Miscellaneous:

**Department of Permits and
Development Management**



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708

August 10, 2004

Robert Hoffman
Venable, LLP
210 Allegheny Avenue
Towson, MD 21204

Dear Mr. Hoffman:

RE: Case Number: 04-533-X, 11152 Falls Road

The above matter, previously scheduled for August 12, 2004, has been postponed. The hearing has been rescheduled and the new notice is attached.

Please be advised that the responsibility of the appropriate posting of the property is with the Petitioners. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with the notice of the original hearing date, as quickly as possible after you have been notified, the new hearing date should be affixed to the sign(s).

Very truly yours,

A handwritten signature in black ink, appearing to read "Timothy Kotroco", is written over a horizontal line.

Timothy Kotroco
Director

TK:klm

C: St. Paul's School, 11152 Falls Road, Brooklandville 21022



September 27, 2004

Timothy M. Kotroco, Director
Department of Permits
and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

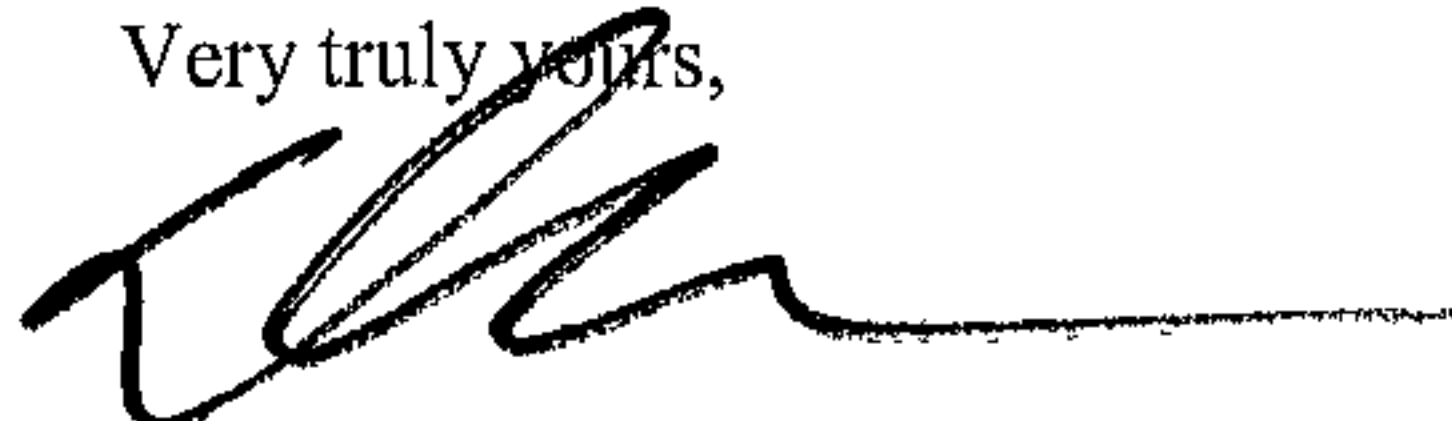
Re: St. Paul's School
11152 Falls Road
Case No. 04-553-X

Dear Mr. Kotroco:

This firm represents St. Paul's School in the above-referenced case. The Valleys Planning Council is unable to attend the hearing scheduled for October 4, 2004. By way of this letter, I am respectfully requesting that the Department of Permits and Development Management postpone the hearing so that the Valleys Planning Council can be present.

I appreciate your consideration of this request.

Very truly yours,



David H. Karceski

DHK

cc: Mr. Jack Dillon

TO1DOCS1/DHK01/#193663 v1

RECEIVED

SEP 27 2004

Per.....

OK to Postpone
1-16

DITter. co. ba. md. w.

Email new date for
St. Paul's School

The Valleys Planning Council, Inc.

207 Courtland Avenue, Towson, Maryland 21204
Mailing Address: P.O. Box 5402, Towson, Maryland 21285-5402
Phone: 410 337-6877, Fax: 410 296-5409

July 28, 2004

Mr. Timothy M. Kotroco, Director
Permits and Development Management
County Courts Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

*OK to postpone.
Reset in October, '04
TK*

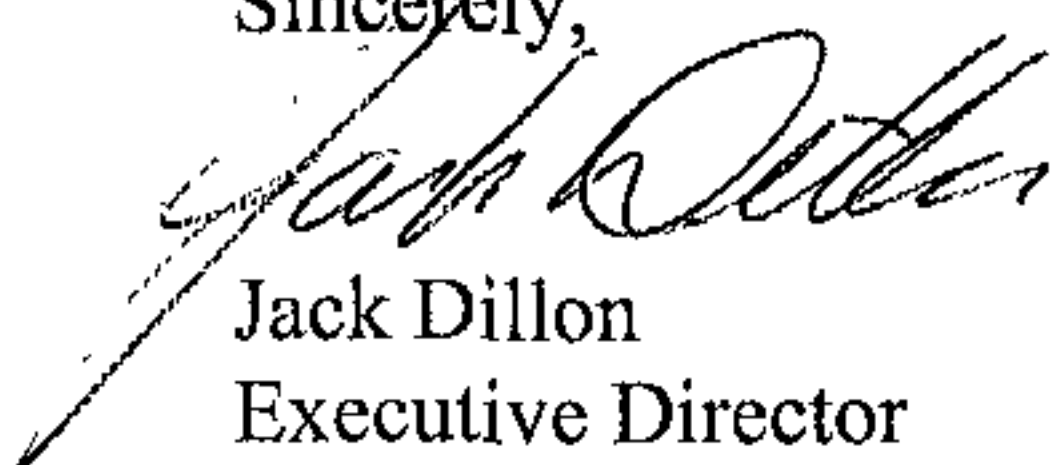
Re: St. Paul's School
Case No. 04-553-X
Request for Postponement

Dear Mr. Kotroco:

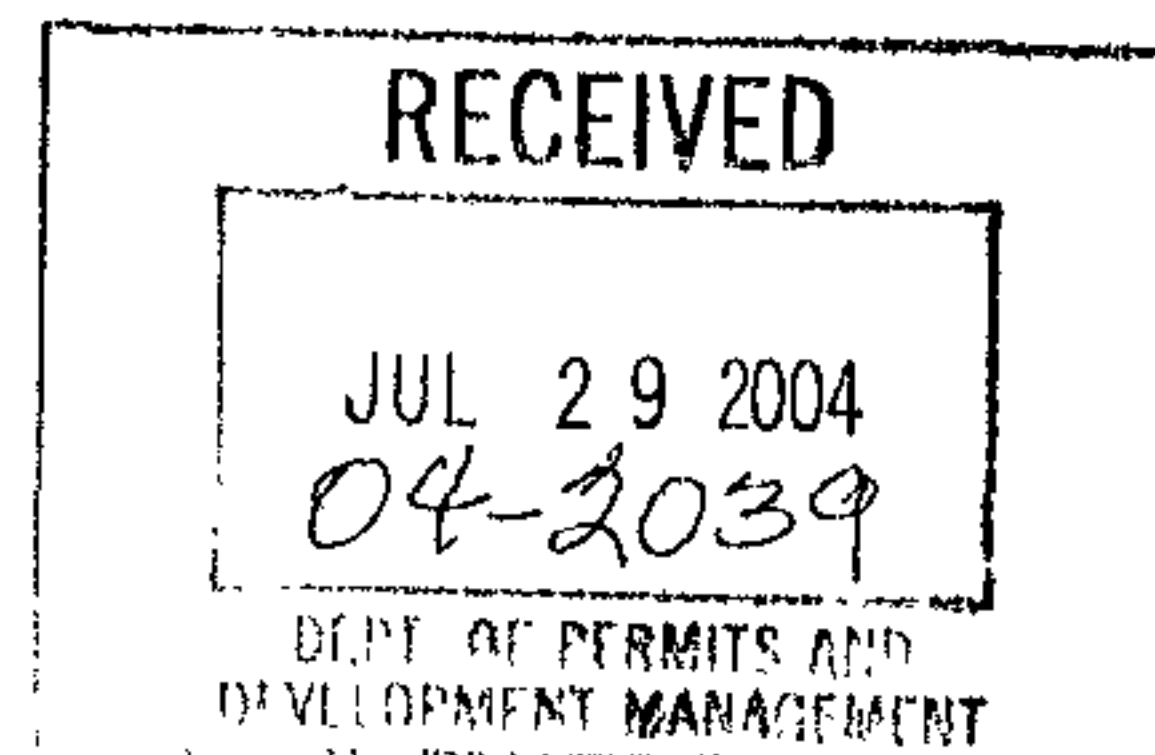
I have been advised that the hearing for St. Paul's School has been set for Thursday August 12, 2004 @ 10:00 AM. I will be on vacation from August 6 thru August 22 and will be unable to attend this hearing. I did not receive a copy of the plan until July 21, 2004 and we have just now begun to discuss a covenant agreement and deficiencies with the site plan. Although I believe that we will be able to reach an amicable agreement on this request I must request a postponement of this hearing.

Thank you for your consideration of this request.

Sincerely,


Jack Dillon
Executive Director

cc: Robert A. Hoffman, Esq.
George Doub. Esq.
Kurt Evans, St. Paul's School



The Valleys Planning Council, Inc

207 Courtland Avenue
P.O. Box 5402
Towson, Maryland 21285-5402

10/48/12
BW
11/30
RECEIVED

JUL 28 2004

ZONING COMMISSIONER

July 28, 2004

So. Jim Kobro

Mr. Lawrence E. Schmidt, Zoning Commissioner
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

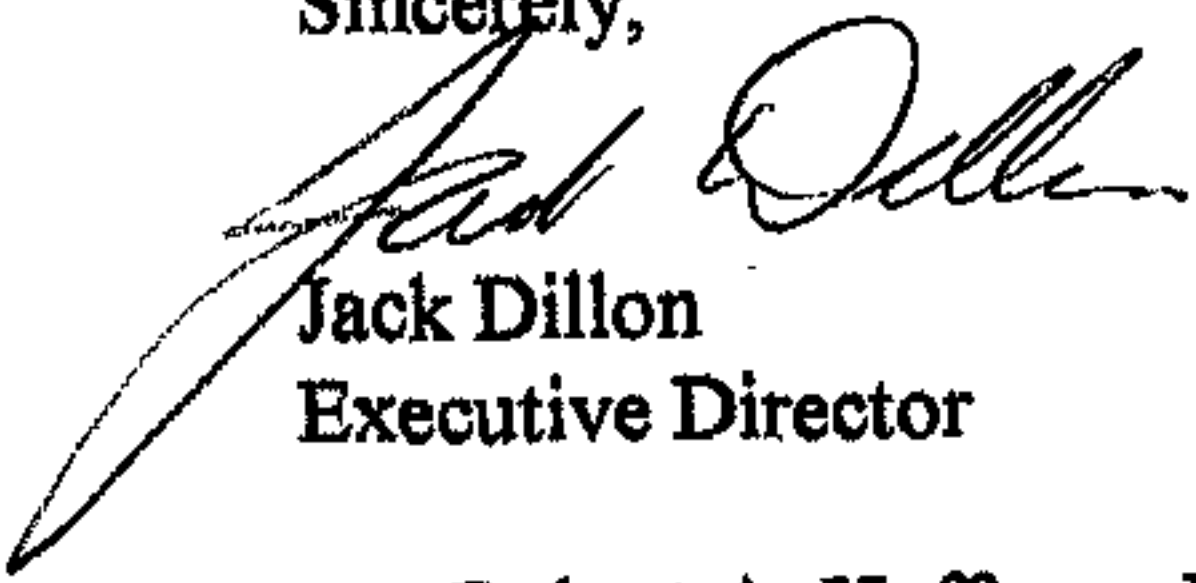
Re: St. Paul's School
Case No. 04-553-X
Request for Postponement

Dear Mr. Schmidt:

I have been advised that the hearing for St. Paul's School has been set for Thursday August 12, 2004 @ 10:00 AM. I will be on vacation from August 6 thru August 22 and will be unable to attend this hearing. I did not receive a copy of the plan until July 21, 2004 and we have just now begun to discuss a covenant agreement and deficiencies with the site plan. Although I believe that we will be able to reach an amicable agreement on this request I must request a postponement of this hearing.

Thank you for your consideration of this request.

Sincerely,


Jack Dillon
Executive Director

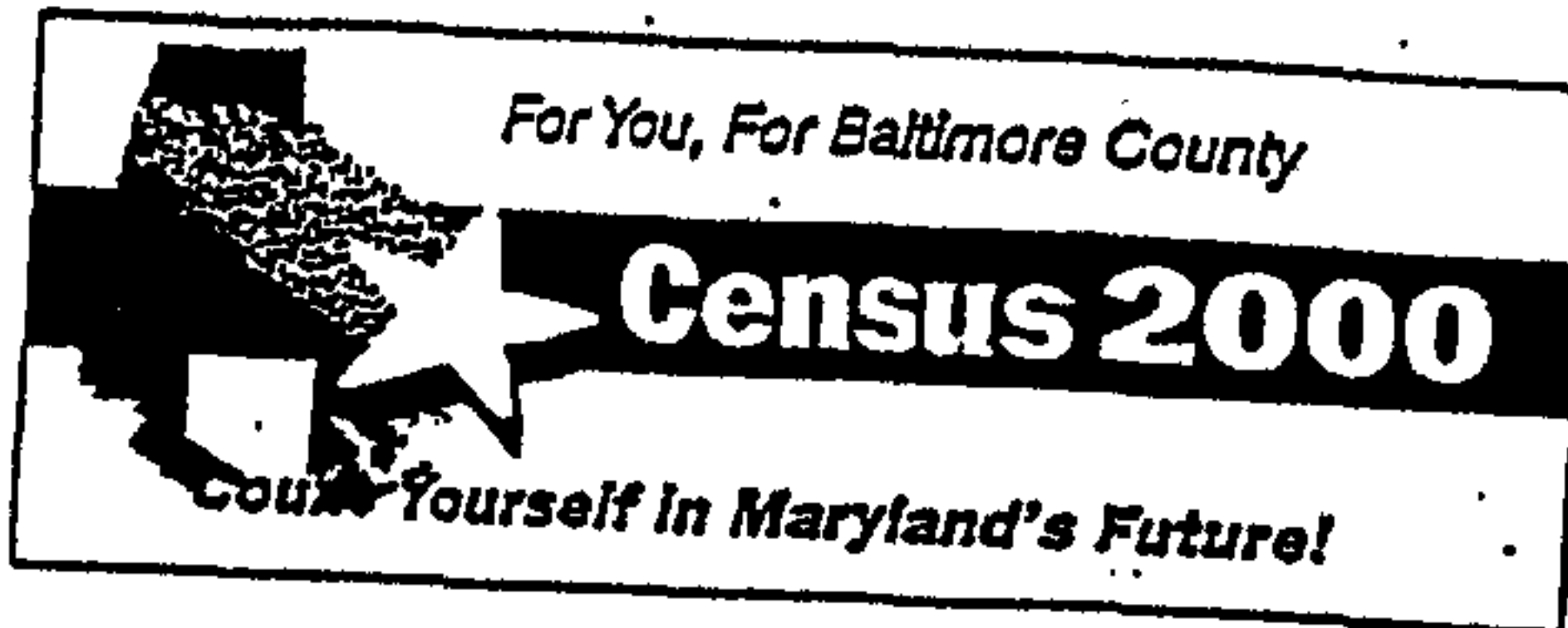
cc: Robert A. Hoffman, Esq.
George Doub. Esq.
Kurt Evans, St. Paul's School

Rob Hoffman has the Red line Plan
and exhibits 1 + 2

Draft McCune to revise Exhibit #1 to
include ZAC Comments - Rob will review
with Jack Dillon and agree to order language.



FAX COVER SHEET



Date:

8/3/04

Number of Pages including cover sheet:

To:

Kristen

Phone:

Fax #

5708

C:

From:

Robin

Phone:

3868

Fax #

REMARKS:

☐

Urgent

☐

For your review

☒

Reply ASAP

☐

Please comment

Re: 04-553-X

Have you received a request for postponement for this case? If not, here is a copy for your office. Let me know if this request is granted!
Thanks.

***** ACTIVITY REPORT *****

TRANSMISSION OK

TX/RX NO.	3994
CONNECTION TEL	5708
CONNECTION ID	
START TIME	08/03 15:52
USAGE TIME	00'48
PAGES	2
RESULT	OK

DATE _____

E-MAIL

Rt Hoffman@Verble.com
ehadaway@lun.com
Kevin50stpausschool.org

dhkarceksi@venable.com
tmyaddy@KCNB.
mKellen@DMW.com

*A Team of Land Planners,
Landscape Architects,
Golf Course Architects,
Engineers, Surveyors &
Environmental Professionals*

DATE _____

E-MAIL

differs up to 1000 ft. and



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

February 29, 2000

st Paul

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
SE/S Falls Road, between Seminary Avenue & Brookstone Court
(11152 Falls Road)
8th Election District -- 3rd Councilmanic District
The Boy's School of St. Paul's Parish & St. Paul's School for Girls - Petitioners
Case No. 00-162-SPH

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Robert Hallett, Headmaster, The Boy's School for St. Paul's Parish, Inc.
Ms. Evelyn A. Flory, Headmistress, St. Paul's School for Girls
11152 Falls Road, Brooklandville, Md. 21022
Lawrence Melfa, Esquire, 401 Allegheny Avenue, Towson, Md. 21204
Mr. Jack Shay, 918 Greenspring Valley Road, Brooklandville, Md. 21022
People's Counsel; Case File

**PETITIONER'S
EXHIBIT 3**



IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
SE/S Falls Road, between Seminary Avenue	*	ZONING COMMISSIONER
and Brookstone Court	*	
(11152 Falls Road)	*	OF BALTIMORE COUNTY
8 th Election District	*	
3 rd Councilmanic District	*	Case No. 00-162-SPH
The Boy's School of St. Paul's Parish, Inc.	*	
and St. Paul's School for Girls -	*	
Petitioners		

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, The Boy's School of St. Paul's Parish, Inc., by Robert Hallett, Headmaster, and St. Paul's School for Girls, by Evelyn A. Flory, Headmistress, through their attorney, Robert A. Hoffman, Esquire. The Petitioners request a special hearing to confirm tennis courts as either principal or accessory to the school, and to amend the last approved site plan in prior Case No. 93-119-SPHA. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitioners were Robert Hallett and Kirk Evans, representatives of the St. Paul's Schools; Charles Main II, a representative of Daft-McCune-Walker, Inc., who prepared the site plan for this property, and Robert A. Hoffman, Esquire, attorney for the property owners. Also appearing in support of the request were Michael P. Donnelly and Roger Wittenbach, representatives of the Homeland Racquet Club, Inc., Contract Lessees of the proposed tennis courts, who were represented by Lawrence A. Melfa, Esquire. There were no Protestants or other interested persons present.

The subject property under consideration is well known to this Zoning Commissioner and is a landmark in this region of Baltimore County. The property is a large tract, predominantly zoned R.C.2, that is bordered by Falls Road to the north and east, Greenspring Valley Road to the

south, and several large estate properties to the west. The property is improved with a series of buildings which are collectively utilized as the campuses for The Boys School of St. Paul's and St. Paul's School for Girls. These private schools provide educational services for boys and girls through high school.

The subject of the instant Petition relates to a small parcel within the overall tract, containing approximately 4.37 acres in area. That parcel has been improved with 14 outdoor tennis courts, a clubhouse, parking lot and access roads, and other ancillary improvements. Pursuant to a lease by and between the property owners and the Homeland Racquet Club, Inc., the Club has leased these courts and land area for use by its members. The particulars of the arrangement are contained within a 20-page lease agreement submitted into evidence as Petitioner's Exhibit 3. It was indicated at the hearing that the rights conferred to the Club under the lease are generally subordinate to the use of these facilities by students attending the school. The Club primarily utilizes these facilities when school is not in session. Additionally, faculty members and other members of the administration of the schools are members of the Club.

The issue presented in the Petition for Special Hearing is whether this arrangement is appropriate under the B.C.Z.R. Apparently, there was some complaint about the Club's utilization of these facilities, although no one appeared in opposition at the hearing.

Section 101 of the B.C.Z.R. defines "accessory use or structure" and provides that such use or structure be customarily incident and subordinate to the principle use, subordinate in area, extent, or purpose to the principle use, located on the same lot as the principle use, and contribute to the comfort, convenience or necessity of the occupants or principal use or structure served.

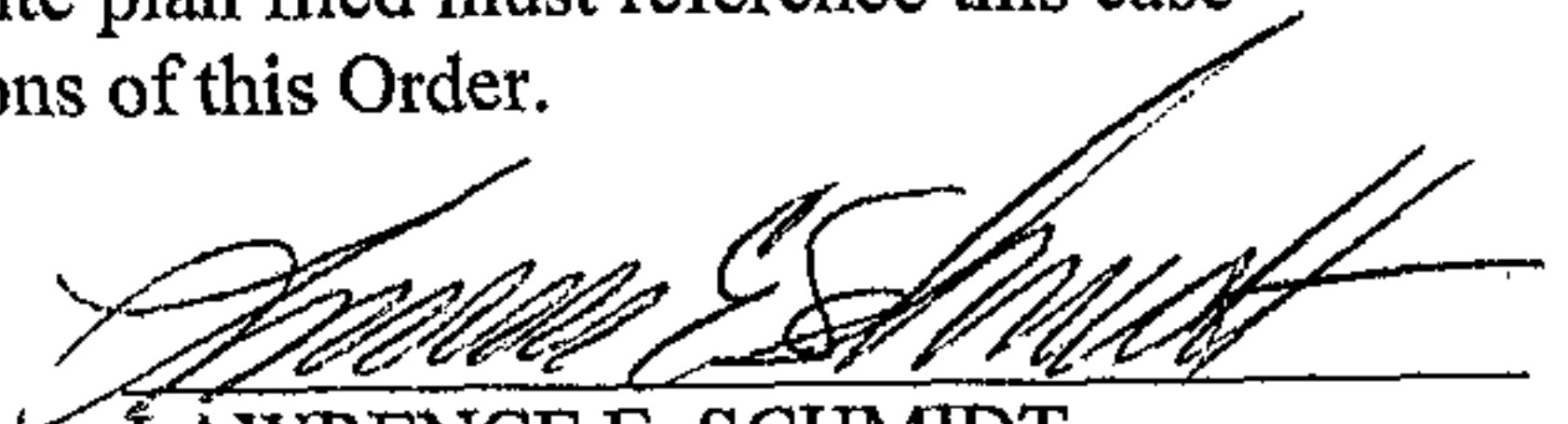
In applying that definition to the facts presented in this case, I easily find that the Homeland Racquet Club's lease of the subject tennis courts is an appropriate accessory use to the primary function of the property as a school campus. The lease arrangement fits squarely with each prong of the definition outlined above. In this regard, it is to be noted that many schools (both public and private) feature lease arrangements for use of their facilities during non-school hours. Particularly during the summer, one cannot help but observe the various sports camps and

activities which occur on college campuses and the campuses of high schools, middle schools, and elementary schools. The situation here is no different and should therefore be approved as an appropriate accessory use. Therefore, I will grant the requested special hearing relief to approve the tennis courts as an accessory use and to approve an amendment to the previously approved site plan to reflect the current uses and improvements on the property.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29th day of February, 2000 that the Petition for Special Hearing to confirm tennis courts as either principal or accessory to the school, and to amend the last approved site plan in prior Case No. 93-119-SPHA, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The 14 tennis courts shown on the plan shall not be lit. In the event the Petitioners propose lighting of the courts in any fashion, the Petitioners must seek approval through a new Petition for Special Hearing.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs